



U.S. Department of Justice

United States Attorney  
Southern District of New York

MEMO ENDORSED

50 Main Street  
Suite 1100  
White Plains, New York 10606

June 27, 2023

**BY ECF & E-Mail**

The Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

**Re: *United States v. John Depasquale*, 23 Cr. 226 (KMK)**

Dear Judge Karas:

The Government respectfully submits this letter motion on consent in the above-referenced case to request that time be excluded under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A), for the reasons set forth below.

Upon this case being assigned to Your Honor and then referred to the Honorable Judith C. McCarthy, for an arraignment on and guilty plea to an information, the arraignment occurred on May 3, 2023. The defendant, however, did not plead guilty at that time, opting instead to await a decision on a recently filed application to the Court's Young Adult Opportunity Program ("YAOP"). Time was excluded under the Speedy Trial Act at the arraignment until May 17, 2023. The defendant's YAOP application, however, was only recently denied. The defendant is now scheduled to proceed with the referred guilty plea on June 30, 2023 before Judge McCarthy.

The Government respectfully requests that the time be excluded under 18 U.S.C. § 3161(h)(7)(A) to June 30 to permit additional time for the defendant to continue review the plea agreement proposed by the Government and consult with his counsel and for the parties to appear before the Court for an anticipated change-of-plea hearing. Defense counsel has advised that he consents to the request, and a proposed order is attached.

Granted. Time is excluded until 6/30/23 to allow counsel adequate time to discuss a potential disposition of this case. The interests of justice from this exclusion outweigh the public's and Defendant's interests in a speedy trial. See 18 U.S.C. Section 3161(h)(7)(A).

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By: /s/  
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So Ordered.

6/27/23

cc: Michael K. Burke, Esq. (by ECF & E-Mail)